

## FACSIMILE COVER SHEET

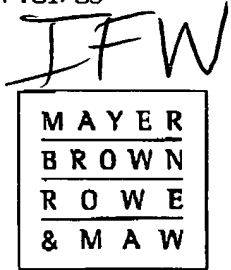
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SEP 14 2005

September 13, 2005



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**FROM:** KRISTI HUTCHISON      Email: khutchison@mayerbrownrowe.com  
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**TO:** EXAMINER SHAOJIA A. JIANG  
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Pages: cover + 4

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OFFICE OF PETITIONS

## MESSAGE:

**RE: U.S. Patent Application Serial No. 10/828,678 to Dudley et al.**

Dear Examiner Jiang,

Attached please find a courtesy copy of a Petition for Suspension of Action Under 37 C.F.R. 1.103(a) which is being filed in the Petitions Office today.

Please do not hesitate to contact us should you have any questions.

Best regards,

Kristi Hutchison  
Patent Paralegal to Mark G. Paulson

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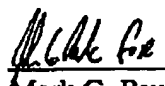


**PATENT**  
Docket No. 04274649

If the Examiner or the Petitions Office has any questions with respect to this petition,  
please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

MAYER BROWN ROWE & MAW LLP

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Date: September 13, 2005

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PTO/SB/17p (11-04)

Approved for use through 07/31/2007. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>PETITION FEE</b> <b>Under 37 CFR 1.17(f), (g) &amp; (h)</b> <b>TRANSMITTAL</b> (Fees are subject to annual revision)	Application Number	10/828,678
	Filing Date	April 20, 2004
	First Named Inventor	Dudley et al.
	Art Unit	1614
	Examiner Name	Shaojia A. Jiang
	Attorney Docket Number	04274649

Send completed form to: Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Enclosed is a petition filed under 37 CFR 1.17(g) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 200.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(f), see form PTO/SB/17.

**Payment of Fees** (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 503-121:  
☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments  
 Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

§ 1.53(e) - to accord a filing date.

§ 1.57(a) - to accord a filing date.

§ 1.182 - for decision on a question not specifically provided for.

§ 1.183 - to suspend the rules.

§ 1.378(a) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.

§ 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

§ 1.12 - for access to an assignment record.

§ 1.14 - for access to an application.

§ 1.47 - for filing by other than all the inventors or a person not the inventor.

§ 1.59 - for expungement of information.

§ 1.103(a) - to suspend action in an application.

§ 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.

§ 1.295 - for review of refusal to publish a statutory invention registration.

§ 1.286 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish is issued.

§ 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.

§ 1.550(c) - for patent owner requests for extension of time in *ex parte* reexamination proceedings.

§ 1.556 - for patent owner requests for extension of time in *inter partes* reexamination proceedings.

§ 5.12 - for expedited handling of a foreign filing license.

§ 5.15 - for changing the scope of a license.

§ 5.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

§ 1.19(g) - to request documents in a form other than that provided in this part.

§ 1.84 - for accepting color drawings or photographs.

§ 1.91 - for entry of a model or exhibit.

§ 1.102(d) - to make an application special.

§ 1.138(c) - to expressly abandon an application to avoid publication.

§ 1.313 - to withdraw an application from issue.

§ 1.314 - to defer issuance of a patent.

Mark G. Paulson  
 Signature  
**Mark G. Paulson**

Typed or printed name

September 13, 2005

Date

30,793

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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